Paragraph 13

55. The CHAIRMAN suggested that, for ease of reference, the wording of articles of the Convention should be quoted briefly in future because not everyone could immediately associate a particular provision with an article number.

56. It was so agreed.

57. Paragraph 13 was adopted.

Paragraph 14

58. Mr. BANTON proposed that paragraph 14 should be deleted as incompatible with the Committee's mandate.

59. Mr. van BOVEN (Country Rapporteur) agreed that the recommendation concerning funding was somewhat unusual. However, the explicit reference in the report of Switzerland to participation by the Swiss authorities in European campaigns and special events had prompted him to draw attention to the United Nations Voluntary Fund for the Decade to Combat Racism, which was desperately in need of funds.

60. The recommendation in the second sentence was consistent with article 2, paragraph 1 (e). He had been surprised that the Swiss authorities were not more supportive in financial terms of local organizations and institutions dealing with race relations.

61. A vote was taken on paragraph 14.

62. Paragraph 14 was adopted.

63. The draft concluding observations concerning the initial report of Switzerland as a whole, as amended, were adopted.

64. Mr. van BOVEN (Country Rapporteur) said that the Committee had received a letter from the Swiss Government, following the drafting of the concluding observations, in response to Mr. Shahi's question concerning racist propaganda on the Internet. The Committee could include the letter in its report to the General Assembly as a State Party comment in accordance with article 9, paragraph 2 of the Convention, or cover it in a report on the expert seminar on the role of the Internet in the light of the Convention.

65. Mr. BANTON proposed that a summary of the communication should be included in the Committee's report to the General Assembly, perhaps in a new section on general matters under Chapter III which would also cover, for example, the Committee's discussion of the structure of concluding observations.

66. Mr. SHAHI supported Mr. Banton's proposal. The Swiss communication was a very important document in view of the amount of racist propaganda being disseminated with total impunity on the Internet.

67. It was so agreed.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5) (continued)

68. The CHAIRMAN said he wished to draw the Committee's attention to a very important matter. In the past, Committee members had sometimes been subjected to pressure, threats and complaints from States but had always refused to accept them. He recalled General Recommendation IX, which stated, in part, that the Committee, "alarmed by the tendency of the representatives of States, organizations or groups to put pressure upon experts, especially those serving as country rapporteurs, strongly recommends that they respect unreservedly the status of its members as independent experts of acknowledged impartiality serving in their personal capacity". He had previously drawn the Committee's attention to the issue of complaints addressed to certain governments concerning the opinions expressed during the Committee's discussions of State Party reports, and on that occasion as well the Committee had declared the practice unacceptable, asserting that its members were free to express their opinions and views and that no pressure should be exerted on them or threats addressed to them.

69. On the previous day, he had been asked to meet a certain gentleman who had come as a representative of a non-governmental organization (NGO), accompanied by an assistant, to seek information on what he, the Chairman, had said during the Committee's consideration of the report of Switzerland (CERD/C/270/Add.1) with reference to the writer Roger Garaudy. The visitor had accused him of being anti-Semitic, but the Chairman was himself a Semite; he had accused him of denying the Holocaust, which he had never done; and he had threatened him in many ways, which was unacceptable, whether it came from an NGO, a State Party or even his own Government. No one could pressure or threaten him concerning an opinion he had expressed in the Committee.

70. He knew he was not the only one to have been contacted by the gentleman in question; other members of the Committee had also been pressured and threatened. The gentleman had said that he would publish an article attacking the Committee, that he knew everything that went on in the Committee, that he had asked for tape recordings of the meetings and that more than half its members were anti-Semites. At that point the Chairman had ended the conversation and had decided to bring it to the Committee's attention, not for discussion, and not out of fear or as a complaint, but simply to have it placed on record to make it clear that such conduct and threats would not work with the Committee.

71. He invited the Committee to consider further pending issues.

72. Mr. GARVALOV said that he and Mrs. Sadiq Ali had completed the drafting of their part of the joint working paper on article 7 of the Convention being prepared by the Committee and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which they hoped would be approved by the Sub-Commission at its August 1998 session. The latest revised version was contained in CERD/C/52/Misc.1/Rev.3.

73. Mr. DIACONU said it was time to deal with the issue of reservations to human rights treaties. In the report of the ninth meeting of persons chairing the human rights treaty bodies (document without a symbol), the chairpersons had asked for letters of support for the approach reflected in General Comment No. 24 of the Human Rights Committee. That issue, which had already been dealt with by the International Law Commission and some other committees, was very important and required discussion by the Committee.

74. Mr. RECHETOV said the Committee should not only support the Human Rights Committee on the matter but should also consolidate its own experience of the previous 20 years. It was a very substantive question and could not be dealt with in a short letter. He proposed that he and Mr. Diaconu could prepare a working paper on reservations, which could be sent to Committee members for discussion a month before the Sub-Commission session.

75. Mr. DIACONU said that he and Mr. Rechetov had different opinions on the issue. He did not agree with General Comment No. 24 of the Human Rights Committee but rather with the preliminary conclusions of the International Law Commission. However, he consented to Mr. Rechetov's proposal.

The meeting rose at 5.30 p.m.